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Faculty Senate Monthly Packet January 1992

Portland State University Faculty Senate

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TO: Senators and Ex-officio Members to the Senate
FR: Ulrich H. Hardt, Secretary to the Faculty *UHH*

The Faculty Senate will hold its regular meeting on January 6, 1992, at 3:00 p.m. in 150 Cramer Hall.

AGENDA

- A. Roll
- *B. Approval of the Minutes of the December 2, 1991, Meeting
President's Report
- C. Announcements and Communications from the Floor
- D. Question Period
 - 1. Questions for Administrators
 - 2. Questions from the Floor for the Chair
- E. Reports from the Officers of Administration and Committees
 - 1. Report from IFS--Jackson
 - *2. Annual Report, Curriculum Committee--Holloway
- F. Unfinished Business
 - 1. University Planning Council Report--Thoms/Burns
 - 2. Academic Requirements Committee Diversity Requirement Update--Millner
 - *3. Revised Sexual Harassment Policy--Vieira
 - *4. Proposed Course Additions--Holloway
- G. New Business
 - *1. PSU Statement of Unity--Kinnick
 - *2. Proposed Constitutional Amendment, Article V. 1.1.--Holloway
 - *3. Proposed Constitutional Amendment, Article IV. 4.4. n--Moor
 - *4. Proposed Constitutional Amendment, Article IV, 4.4.g & m
 - *5. Resolution for Coaches and Student Athletes--Kosokoff
- H. Adjournment
 - *The following documents are included with this mailing:
 - B Minutes of the December 2, 1991, Senate Meeting*
 - E₂ Annual Report, Curriculum Committee**
 - F₃ Revised Sexual Harassment Policy**
 - F₄ Proposed Course Additions**
 - G₁ PSU Statement of Unity--Kinnick Committee**
 - G₂ Proposed Constitutional Amendment, Article V. 1.1.**
 - G₃ Proposed Constitutional Amendment, Article IV. 4.4.n**
 - G₄ Proposed Constitutional Amendment, Article IV, 4.4. g & m**
 - G₅ Resolution for Coaches and Student Athletes**

**Included for Senators and Ex-officio Members only.

PORTLAND STATE UNIVERSITY

Minutes: Faculty Senate Meeting, January 6, 1992
Presiding Officer: Ansel Johnson
Secretary: Ulrich H. Hardt

Members Present: Abbott, Ashbaugh, Barna, Beeson, Bjork, Bowlden, Brannan, Brennan, J. Brenner, S. Brenner, Casperson, Cumpston, Daily, Danielson, DeCarrico, Duffield, Edwards, Ellis, Farr, Finley, Goekjian, Gray, Haaken, Jackson, Johnson, Karant-Nunn, Kasal, Koch, Kosokoff, Lansdowne, Lendaris, Livneh, Lutes, McKenzie, Midson, Moor, Ogle, Oshika, Petersen, Reece, Schaumann, Sestak, Stern, Tama, Terdal, Terry, Visse, Weikel, Westover.

Alternates Present: Klebba for Gillpatrick, Bulman for Latz.

Members Absent: Arick, Briggs, Burke, Burns, Dunnette, Forbes, Goucher, Dodds, Kocaoglu, Parshall, Sobel, Tuttle, Wurm.

Ex-officio Members Present: Davidson, Desrochers, Diman, Erzurumlu, Hardt, Miller-Jones, Oh, Pfingsten, Reardon, Vieira, Schendel, Tang, Toulon, Ward.

APPROVAL OF THE MINUTES

The minutes of the December 2, 1991, meeting were approved as distributed. Bowlden was noted as having been present.

ANNOUNCEMENTS

JOHNSON announced a 2:00 p.m. January 7 meeting for all those interested in discussing a 1-year turn-around for making curricular changes.

REPORTS FROM OFFICERS OF ADMINISTRATION

1. JACKSON gave the IFS report (see attached).
2. HOLLOWAY presented the Annual Report of the Curriculum Committee.

UNFINISHED BUSINESS

1. THOMS gave an update of the UPC's deliberation regarding the Business School reorganization (see attached). STERN wanted to know how TQM, early instruction of synthesis, and lack of faculty voice in the selection of assistant deans had to do with a discussion of the reorganization. THOMS said these topics were brought up in UPC, and the last item was particularly critical. KARANT-NUNN asked whether there was any

implied disapproval of the reorganization if nothing else were to be said. THOMS didn't think there would be.

2. MILLNER circulated a draft statement of criteria for implementation of the diversity course requirement, and he announced two public meetings (January 13 and 16) for discussions (see attached). The ARC drafted these criteria with input from 12 departments. MILLNER briefly reviewed the guidelines, pointing out the required dual focus on content and methodology. After the approval of the criteria, the ARC plans to review proposed courses, and these will then be brought to the Senate before the end of this year, but not in time for the fall 1992 catalog. Lists will be available for advisors.

FARR doubted if a requirement could be in effect without a list of officially published courses in the Bulletin. SCHAUANN questioned the proposed requirement of two courses from two different departments; in engineering, at least, this would be very difficult for students. MILLNER thought that the diversity requirement could easily be satisfied within the 54 credits of general education.

3. VIEIRA presented a revised sexual harassment policy and a guide for assisting individuals in resolving complaints. Revisions were made to improve consistency, format, and clarity. If approved, the document will be widely circulated. KARANT-NUNN said the procedures in the abstract were good, but she doubted whether faculty would take the required appropriate action for threat of law suits. Will the policy therefore have any effect? VIEIRA replied that PSU is obliged to confront the issues; we are in violation of the law if we don't. Individuals should go to the Affirmative Action office for help.

BULMAN and DUFFIELD addressed the problem of students not willing to complain or go through what's required in these cases. Do witnesses have a responsibility to make allegations of sexual harassment? If individuals confide in us, do we have the right to violate their trust? VIEIRA acknowledged that these were tough questions that had no clear answers. OSHIKA asked if complaints could be anonymous or if they could be made by a third party. They cannot. Both parties have to be identified, have to be informed and respond. J. BRENNER said she has kept notes on complaints students have made about certain faculty members. On occasion she has reported to a colleague who has had repeated complaints what students have said and how they feel. This is an informal way of handling the situation, and it doesn't accuse people. However, she also urged that we must not be too overwhelmed to take formal action.

MOOR, praising this as clear, judicious and logical policy, moved "that the Senate endorse this sexual harassment policy draft as a replacement of the previously passed policy."

The motion was passed unanimously.

Next steps are wide distribution of the documents, orientation and training sessions for all employees and students.

4. HOLLOWAY presented five left-over items from the Curriculum Committee's course and program changes. They included (a) adding PHL 213 Life and Death Issues; (b) adding PSY 491/591 Decision Making I: Values and Choice, and with the prerequisites of MTH 243 and PSY 348, or permission of instructor; (c) adding MTH 243/244 Statistics to the BA/BS Speech Communications major; (d) reducing the number of upper division credits of the Speech Communications minor from 18 to 15; and (e) withdrawing the previously approved changes for ENG 301.

A lively discussion ensued regarding Life and Death Issues and the topic of abortion in that course. Senators wondered if the course description would suggest that only one side of the issue would be presented. Several suggestions for resolving the problem, including dropping "abortion" from the course description, were rejected.

BEESON/WEIKEL moved "that the Senate approve all five of the proposed changes."

The motion was passed, but not unanimously.

NEW BUSINESS

1. KINNICK gave a brief history of the development of the PSU Statement of Unity. At the instigation of students and the request of the President, the statement was developed and has been reviewed by a number of constituent groups, including the Executive Committee, CADS, ASPSU, the Senate Steering Committee, and the Advisory Council. Major final revisions were made by the Advisory Council.

GOEKJIAN suggested that "ethnicity" be added following national origin, and TOULAN proposed adding "or group" to the phrase "...or violence against any person." Both additions were accepted.

KOSOKOFF/STERN moved "that the Senate endorse the Statement of Unity."

The motion was passed unanimously.

The revised statement reads as follows:

Portland State University supports the right of all people to learn and live safely and without fear. We will respond forthrightly to any event on campus that promotes or results in discrimination, hatred, or violence against any person or group on the basis of race, religion, national origin, ethnicity, age, gender, ability or sexual orientation. We value diversity and reaffirm the common humanity of all people and the intrinsic value of every individual.

HAAKEN asked what this statement called on us to do. Could the Oregon Citizens Alliance still hold events on campus, for instance? KOSOKOFF replied that a forthright response by the administration is important, but this policy permits free speech, and it protects students who speak out against ideas being presented on campus. KINNICK said the policy implies that we will be fair, follow protocol and take action whenever necessary.

2. HOLLOWAY proposed a constitutional amendment for Article V.1.1, providing ex-officio status to chairpersons of constitutional committees.
3. MOOR proposed a constitutional amendment for Article IV. 4.4.n, clarifying the duties of the UPC.
4. A. JOHNSON proposed an amendment for Article IV. 4.4.g and m. This amendment would create a Faculty Development Committee by combining the Research and Publications Committee and the Committee on Effective Teaching. REARDON spoke for faculty development program integration and said the new committee could be organized immediately if the amendment is passed (i.e., this year's awards of faculty development funds could be made by this committee).

All three of the above proposed amendments will be taken to the Advisory Council for review and will be presented for a Senate vote on February 3.

5. KOSOKOFF presented a resolution congratulating the PSU coaches and students for their successful football, volleyball and soccer seasons.

The resolution was passed unanimously.

ADJOURNMENT

The meeting was adjourned at 16:44.

IFS REPORT TO THE FACULTY SENATE

1/6/92

The Interinstitutional Faculty Senate met on Friday and Saturday, December 6 and 7, 1991, at Oregon Health Sciences University in Portland, Oregon.

At its Friday meeting, following a welcome by OHSU Vice President Leslie Halleck, IFS members met with Vice Chancellor Shirley Clark who discussed, among other things, some issues relating to K-12 restructuring as it relates to higher education in the State of Oregon. Mark Nelson, AOF lobbyist, was also present and provided his perspective on the subjects of replacement revenue and faculty salary monies. Senator Shirley Gold, Democrat, Dist. 7, Portland, and Chair of the Education Committee and member of the Finance Committee, also joined IFS members and commented on activities by the Governor and at the legislative level relative to replacement revenue, program review, and higher education. George Richardson, Jr., Chair of the Oregon State Board of Higher Education, and Chancellor Thomas Bartlett, joined IFS members for dinner.

At its business meeting on Saturday, minutes of the prior meeting of October 4-5 were approved. Bonnie Staebler, IFS President, reported on the athletic funding issue and on the legislative Task Force on Administrative and Instructional Costs. Following hearings and unanimous campus support (through their faculty senates or equivalent bodies) for the IFS position against the athletic bailout, the State Board of Higher Education has created an Athletic Funding Committee to study funding alternatives, with bailout monies placed in escrow pending the committee recommendations. IFS will have one representative on the Board committee. As its first action item, IFS members unanimously approved an IFS athletic funding subcommittee composed of Jim Pease, Ed Brierty, Marjorie Burns, and Alan Kimball, to coordinate IFS input to the Board's Athletic Funding Committee and to determine IFS representation at the Board committee meetings. Jim Pease will serve as "point person" of the IFS subcommittee.

Regarding the legislative Higher Education Task Force on Administrative and Instructional Costs, Bonnie Staebler informed IFS members that contrary to earlier expectations, IFS would not have a representative on that Task Force. A decision was made at the legislative level not to include faculty or staff from any of the higher education institutions on the Task Force.

Under old business, the following amendments to IFS By-Laws were moved and unanimously approved by IFS members:

The President shall also compose an annual report to be delivered at his/her final meeting as President. This report shall summarize the issues brought before the Senate during the preceding year and any action taken. [Added to BL-2. b. (1)]

The Secretary shall keep the minutes and maintain the archives of the Senate and shall carry out such other duties as may be delegated to him/her by the Senate, the Executive Committee, or the President. At the end of his/her term, the Secretary shall render the IFS archives to his/her successor. [Change to BL-2. b. (3) requiring Secretary to maintain IFS archives]

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Also under old business, Jim Pease reported that the IFS subcommittee report on Institutional and Administrative Costs will be completed soon and will be available for distribution to IFS members.

As a final item of old business, Greg Monahan, IFS historian, distributed for review a 25 page document entitled, "Interinstitutional Faculty Senate: A Brief History." IFS members unanimously commended and thanked Greg for his efforts.

Under new business, nominations for election of board representatives were made, and President Bonnie Staebler distributed a list of "Suggested Goals for IFS, 1992" for discussion at the February meeting of IFS.

Respectfully Submitted by
Janice Jackson, IFS Secretary

REPORT TO FACULTY SENATE: STATUS OF UNIVERSITY PLANNING COUNCIL REVIEW OF SCHOOL OF BUSINESS ADMINISTRATION REORGANIZATION

January 2, 1992

SUMMARY: Action taken 10/21 to 12/9/91 by UPC regarding problems of reorganization of SBA. Concern is that during summer of 1991 SBA instituted reorganization involving Total Quality Management without review by requisite university committees.

10/21/91: Visse and Grubb from SBA verbally presented to UPC a chronology of events leading up to SBA's reorganization, then operating.

University Planning Council solicited further information from SBA in response to the Senate Steering Committee's request of 9/24/91, which listed eight points of consideration (considered below).

On 11/4/91, SBA responded with a Restructuring Report that was essentially a chronology--minutes of meetings, correspondence, etc. From these, the UPC felt that five of the Steering Committee's concerns were addressed, if not always adequately.

1. Elimination of departments, new committee structures replacing them, and provision for P & T.
2. Relationship between changes and recommendations of the Transition Team sent to Chancellor.
3. Fiscal savings [addressed mainly by Budget committee].
4. Faculty involvement in decisions made.
5. Timing of action taken.

Three important concerns were not sufficiently discussed or clarified in SBA's report of 11/4/91:

1. Procedures used sidestepped required channels of review, including the UPC.
2. The educational and curricular implications of reorganization. [So far as we know, the plan was not submitted to the University Curriculum Committee.]
3. Effects of reorganization on teaching and learning.

In response to questions by Marjorie Burns of UPC, John Oh responded at some length and in greater detail than the earlier report.

In its meeting of 12/9/91, UPC discussed Oh's response, finding some key matters still left ambiguous, chiefly:

1. Exactly how does Total Quality Management (TQM) operate, particularly in teaching and learning?
2. Is the introduction of synthesis too early in students' learning?
3. How much voice do faculty have in selection of assistant deans and in direction and implementation of policy?

Decision was to have members of a UPC subcommittee interview Dean Oh at a future date on the matters above.

Respectfully submitted,

Richard Thoms, Geology

DRAFT

MEMORANDUM

December 19, 1991

TO: University Community
FROM: Academic Requirements Committee (ARC) ^{DM}
RE: Diversity Course Requirements

Attached is a draft statement of criteria for implementation of the Diversity Course Requirement, and of Selection Courses suitable to satisfy the requirement. Your review and response is encouraged. You may send written comments to the Committee in care of Darrell Millner, BST, 308 NH, or you may present public testimony at meetings for that purpose scheduled for January 13, 2-3pm, CH 150, or January 16, 3-4pm, CH 150.

Please consider this draft as the starting point for a dialogue on this issue.

Thank you.

Attachments A/S

DRAFT

Criteria for Diversity Courses

Rationale

A university education which does not expose students to a diverse range of ethnic, cultural, racial and gender based perspectives is not adequately preparing those students for future roles in an increasingly complex national and global community. Consequently, a contemporary university must provide an opportunity for students to be exposed to information and course content which ranges beyond the traditional framework of the Euro-American western viewpoint. It must as well encourage students to acquire the analytical skills of intellect and process which allow the exploration of the dynamics of interaction between groups formed around factors of race, gender, culture or ethnicity. Because the nature of those interactions has often, historically, included a significant measure of intergroup conflict and hostility, and because contemporary interactions frequently continue to reflect imbalances of power and resources from the inherited effects of these relationships, it is therefore important that the coursework associated with this process include a focus on the origins, operation and impact of such negative forces as intolerance, bigotry, injustice and exploitation in these intergroup interactions. For such study and exposure to be most useful and beneficial to students, there must also be opportunity for exposure to the positive and beneficial aspects of both group identity and intergroup dynamics.

Implementation

The Coursework.

To achieve the objectives stated above, effective Fall 1992 all PSU students must complete as part of the general university graduation requirements, two courses (6-quarter hours) that address these issues.

Courses eligible to satisfy this requirement will fall into two Board categories. Students may take one from each category or two from a single category, if desired. Students, however, will be required to meet this requirement by taking classes from at least two different departments. - - The categories are:

a. Courses distinguished by a content focus that emphasizes issues, information, perspectives, subject matter, and/or group dynamics from the vantage point of racial, cultural, gender or ethnic groups which have historically experienced oppression or discrimination. For example, courses in this category may include Afro-American History, Feminist Theory, the Civil Rights Movement, the Holocaust, Hispanic Studies, Minority Groups, the 60's Counter Culture.

In recognition of the expectation that all university courses should include same coverage of such diverse content and focus, it should be understood that for the purpose of this requirement, only those courses which include a substantial proportion of such content will be eligible for consideration in this category. That substantial portion may include a focus on one or more of the targeted issues or groups.

b. Courses distinguished by an instructional methodology focused on the dynamics of intergroup's interaction and devoted predominately (but not necessarily exclusively) to a consideration of such issues as the origins, effects, alternatives, resolutions and remedies associated with difficulties and disharmonies created by such forces as intolerance, inequality, discrimination, oppression, etc., in the context of intergroup relations.

Courses which typify this category may include those such as, Intercultural Communications, Cultural Psychology, the Serbo-Croatian Civil War. The intention of these courses will be to explore intergroup relations in a comparative and analytical framework.

Selection of Courses

A list of courses eligible to meet this requirement will be created by the ARC and approved by the Faculty Senate. Subsequent revisions of the list will occur on a periodic basis and be handled by the ARC with Senate approval.

Courses for the original list will be selected from those proposed to the ARC by departments or individual faculty. The proposal process will include the submission of course outlines and a brief explanation of why the course conforms to the expectations of these criteria. Submissions must indicate which category the course is intended to fulfill. By-Arrangement courses will not be considered. Omnibus-numbered courses will be eligible for consideration.

A mechanism for appeal and review will be created by the ARC for reconsideration of courses denied inclusion.

The creation of the initial list of courses may require a review period that will not allow its publication in the Fall 1992 catalog. In that case, the Fall catalog will include the language and criteria adopted for this requirement by the Faculty Senate with an indication that a listing of applicable courses will be available to students through their advisers or the Registrar. Subsequent catalogs will include the list of courses.

Criteria for Diversity: Race, Ethnicity, Gender, and Culture

To fulfill this requirement these courses would:

1. Provide conceptual tools for critical thinking about diversity, defined as cultural and social pluralism, in the modern world.
2. Raise the students' awareness of intolerance and inequality, on the one hand, and propose ways of bridging the gaps between intolerance and social justice, on the other...
3. Examine, through discussion, the meaning of race, ethnicity, or gender, and those attitudes or conditions that result in intolerance and/or inequality.
4. Expose the student to issues surrounding intolerance, bigotry, prejudice, and such negative - "isms" as racism, sexism, and anti-Semitism.
5. Examine the historical or social origin of differentiation based on race, ethnicity, gender, age, religion, or class.
6. Examine comparisons of discrimination based on race, ethnicity, religion, social class, or gender.
7. Examine the variety of ways in which life is experienced in heterogeneous societies, societies that offer perspectives different from the more traditional world-view as related through Western Civilization, or the Western European-American Christian perspective.

A course need not include all of the approaches described above but must include a substantial portion of one or more as content and/or focus within the course.

REPORT OF THE UNIVERSITY CURRICULUM COMMITTEE (UCC)
for the Faculty Senate, January 9, 1992

Members:

David Holloway-ENG (Chair, -'91)
Carl Abbott-UPA (-Spr '91)
Theresa Bulman-GEOG
David Cox-ED
Marek Elzanowski-MATH (-Spr '91)
Faryar Etesami-EAS/ME
Catherine Evleshin-SFPA/Dance
Jack Finley-SW
Dawn Graff-Haight-HPE
David Helman-PHIL (-Spr '91)

Janice Jackson-SBA
Anne MacMahon-LIB
Tom Mason-UPA (Fall '91-)
Marjorie Terdal-LING (Fall '91-)
Paul Wurm-XS/IS
Randy Zelick-BIO

Consultants:

Nancy Tang-Vice Provost
Mary Ricks-OIR
Linda Devereaux-OAA

1. The Committee was fully constituted by February 1991. A description of its duties can be found in the Faculty Constitution, Article 4, Section "d." For years, the Committee's chief responsibility has been to review and make recommendations to the Senate concerning proposed changes in undergraduate courses and programs.

2. Cross-Listing of courses: The Committee initially planned to proceed with implementation of its policies on cross-listing (as proposed in its 1990 Report) in coordination with the Graduate Council; but this consideration was deferred (and not returned to) when the Committee was charged to study implications of the sudden budget crisis.

3. Report . . . to the Faculty Senate -- May 6, 1991:

a. In February the Senate directed the Committee to prepare a report on the undergraduate implications of cuts and restructuring as contained in the University's budget proposal sent to the Chancellor on Feb. 8. The Committee's three main recommendations (for reinstating BA/BS Majors in Physics, Health, and Philosophy) were endorsed by Senate at its May 6 meeting.

b. As explained in its report (pp. 1-2), the Committee planned but could not do a more extended survey examining (1) other consolidations, cuts, enhancements, and restorations; and, especially, (2) impact of changes on the cultural diversity of the Undergraduate Curriculum. Late curricular proposals from CLAS prevented its return to these matters in the Fall (see #5 below).

4. Review of Proposals for Curricular Changes.

The Committee reviewed proposals for most divisions in April and May and presented its recommendations to the Senate on Nov. 4. It reviewed proposals largely from CLAS in Oct./Nov. and presented its recommendations to the Senate on Dec. 2. Summaries of the Committee's recommendations, arrived at by consensus, were distributed for these two Senate meetings. Two follow-up items remain to be presented at the Senate's Jan. 9 meeting.

The Committee reviewed and recommended 1 new program, 12 program changes, 30 new courses, 75 course changes, approximately 100 changes resulting from introduction of new course prefixes, and 25 course drops. The Senate accepted its recommendations at the Nov. 4 and Dec. meetings.

(Several proposals were withdrawn by Departments--whether at their request, or following Curriculum Committee discussion, or as a consequence of related Graduate Council actions.)

5. Policy on Late Submissions (given current deadlines):

In late Spring the Committee was alarmed that no materials had been received from CLAS in spite of a March 15 deadline for their submission to OAA and the Committee. It decided that late materials would not be reviewed but would be deferred to the next year's round.

CLAS materials, as noted above, did finally reach the Committee in October--five months late and after the date when the Committee was to have completed its review and submitted its recommendations to the Senate. The Committee noted that many important changes had been carefully developed by CLAS departments, submitted promptly (and for the most part properly) in January, and then been held at the College level for as many as eight months. Rather than delay these departmental proposals even further, the Committee reluctantly proceeded to review CLAS Curricula in Oct./Nov. and regrettably canceled or deferred much of its original Fall agenda.

As always, the Committee stands ready to respond promptly and reasonably to genuine emergencies. However, it will not hereafter consider late proposals but will instead defer them to the following year's review-cycle.

6. The Committee discussed but did not take formal action on the following:

a. Common Course Numbering:

The OAA, working with PSU Departments and with other state institutions (especially Community Colleges), is developing revisions in some lower-division course numbers and descriptions to facilitate block transfers of students. The Committee had some concerns that (1) the cultural diversity of some courses might possibly be constricted through regularization, and (2) such changes should receive at least oversight-review by the Committee on behalf of the Faculty Senate. The Committee was assured by OAA that the results of these changes could be reviewed before publication in the Bulletin.

b. Curriculum Committee/ Grad. Council Committee Restructuring:

In October the Committee discussed a proposal, apparently from the Graduate Council, to shift responsibility for all graduate courses (but not programs) to the Committee. The Committee was sympathetic but found problems with the proposal and tabled it. Subsequent discussions explored (a) internal reorganization of the Committee--such as by use of subcommittees--to accommodate the increased tasks it should deal with, and (b) problems of "logistical" support for its work, and (c) coordination of its activities with instructional divisions and other faculty committees.

At its last meeting (Dec. 3) the Committee heard indirectly that the Graduate Council would propose a revised plan which would, in effect, increase the Committee's duties to include review of some graduate courses and some program changes. At that time, and in the absence of a written proposal and other information, the Committee deferred further discussion.

Portland State University

MEMORANDUM

Fac. Senate Doc. F 3

12/19/91

To: PSU Faculty Senate

From: Robert Vieira, Director
Affirmative Action



I have attached three documents for the Senate's review related to sexual harassment at Portland State University.

Document #F3-A is the sexual harassment policy which the Senate reviewed and approved last year.

Document #F3-B is a new draft of this policy. This draft places the policy in the format of PSU's IMD's, and more directly describes what behavior is prohibited and the procedure for resolving complaints of this kind.

Document #F3-C is meant to be a guide for assisting unit administrators and others in helping individuals resolve sexual harassment complaints. This guide would accompany the policy in the PSU Administrative Rules and IMD policy manual.

Once this policy has been formally approved by President Ramaley, we will also use it as the foundation for information (including handbooks, brochures and orientations) designed to inform students and employees about sexual harassment and related procedures.

Thank you for your assistance.

OFFICIAL POLICY ON COMBATING SEXUAL HARASSMENT

GENERAL STATEMENT AND APPLICATION

It is the policy of Portland State University to maintain the University community as a place of work and study for faculty, staff, and students, free of sexual harassment and all forms of sexual intimidation and exploitation. Because sexual harassment violates the trust and respect essential to the university and preservation of such a community, and because sexual harassment is a form of discrimination on the basis of sex.

Portland State University specifically prohibits any act of sexual harassment

Sexual harassment may constitute a violation of one or more civil rights and non-discrimination laws, including Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972. It also violates Portland State University's policies and procedures on discrimination (IMD 1.501 to 1.508), and those of the Oregon State Board of Higher Education.

The University is concerned and prepared to take action to prevent and correct such behavior.

Individuals who engage in such behavior are subject to discipline.

Misconduct by students is governed by the Student Conduct Code and complaints about student conduct should be referred to the Office of Student Affairs/Director of Judicial Affairs (433 SMC). Complaints about faculty or staff by students should also be referred to OSA, which will provide information and mediation or refer to the Office of Affirmative Action.

Faculty and staff complaints not involving students should be directed to the Affirmative Action Office for information and assistance.

A PROTECTED PROCESS

Individuals who complain will be protected from intimidation, threats, coercion or discrimination resulting from filing a complaint, providing information, or participating in an investigation of alleged discrimination.

DEFINITION OF SEXUAL HARASSMENT

The determination of what constitutes sexual harassment will vary with the particular circumstances, but it may be described generally as repeated and unwanted sexual behavior, such as physical contact and verbal comments or suggestions, which adversely affects the working or learning environment.

Although it can take many forms, sexual harassment is typical, the use of power or authority by one person to pressure another into accepting unwelcome verbal, physical, or sexual conduct and:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment;
2. submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual;
3. such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile or offensive educational, employment or living environment.

Sexual harassment may occur in a variety of relationships, including faculty and students, supervisors and employees, co-employees and co-students. Sexual harassment may occur between people of the same or different gender. It is not limited to males harassing females.

WHAT TO DO:

If you believe you are being sexually harassed, there are a number of formal and informal measures that you can initiate. You can also use these measures to deal with the harassment of someone else.

Informal measures may include:

- A. An individual may solve a problem of sexual harassment personally by means of direct discussion with the other party or by other informal avenues that he or she feels are appropriate. Professional staff within the Office of Student Affairs and Counseling and Psychological Services (CAPS) are available to listen and to advise at any time.

Literature about how to deal directly with the offender is available in CAPS.

SEXUAL HARASSMENT NETWORK

2. The women's Faculty Caucus of PSU has developed a Sexual Harassment Network which will provide an informal communication system of faculty contact for individuals with concerns about sexual harassment.

For information concerning the Network, contact Counseling and Psychological Services.

3. In the event that such direct and immediate attempts are not successful or, in the view of the individual, are not possible, the individual should take the complaint to the Office of Affirmative Action.

4. Should you consider a formal complaint, carefully document all incidents noting dates, specific behaviors and witnesses, if any.

Keep good records of the incidents and their effects. In determining whether alleged behavior constitutes sexual harassment, the university will examine the record as a whole and all aspects of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred.

Careful documentation will make this review easier should it be necessary to move to a formal grievance.

5. Any person alleging sexual harassment may informally present a complaint to the Affirmative Action Officer, or if preferred by the complainant, to a designated officer in the Office of Counseling and Psychological Services who is the same sex as the complainant. The officer shall treat the allegations confidentially and attempt to resolve the complaint in an informal manner. Counsel and advice regarding formal steps which may be taken may also be obtained at this time.

Formal measures entail:

A. Contacting the Affirmative Action Office and presenting a formal grievance for review.

Other formal avenues include filing a complaint through external enforcement agencies such as the Equal Employment Opportunity commission for employment cases, and the Office of Civil Rights of the Department of Education for student cases. In addition, actions can be taken through the court system. There are specific requirements and time lines for filing these complaints. The Office of Affirmative Action can give you information about specific procedures.

No amount of guidelines, details, and examples could adequately cover the possible range of human behavior, the difficult judgements that may need to be made, or the other dilemmas that may surround ethical issues such as sexual harassment.

If you encounter behavior on the part of any member of our campus community which you believe may be in violation of a University policy or code of conduct, seek advice from the Office of Student Affairs or the Affirmative Action Office.

Draft #2: 12/19/91

Topic: Sexual Harassment

Responsible Office: Affirmative Action

Date of establishment:

I. Policy

Sexual harassment is prohibited by University policy, Oregon State System of Higher Education administrative rules and by State of Oregon and Federal law. Portland State University will not tolerate this prohibited behavior.

Retaliation of any kind taken against any person as a result of that person's seeking to have grievances or concerns addressed regarding sexual harassment is also prohibited. All complaints will be seriously considered and handled appropriately through a process which protects the rights of both the accuser and the accused.

II. Rationale:

Sexual harassment violates the trust and respect essential to the University and preservation of the community. It is Portland State University's policy to maintain its community as a place of work and study that is free of all forms of sexual harassment for all faculty, staff, students and the general public.

III General Guidelines

A. Sexual Harassment Defined 29 CFR Sec. 1604.11 (a.)
See, Meritor Savings Bank v Vinson, 106 S. Ct. 2399, 40 EPD para. 36, 159 (1986).

Sexual harassment is defined as unwanted and unwelcome sexual advances or requests for sexual favors and other verbal or physical conduct of a sexual nature where:

- 1.) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or participation in a University-sponsored educational program or activity; or
- 2.) Submission to or rejection of such conduct by an individual is used as a basis for academic or employment decisions affecting that individual; or
- 3.) Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance, or of creating an intimidating, hostile or offensive educational or working environment.

B. Resolution of Complaints

It is the policy of the University to attempt when possible to resolve disputes between individuals on an informal basis. Understanding that this may not always be possible or appropriate, the University provides both informal and formal avenues for resolution of complaints.

Unit Administrators (Supervisors, Chairs, Department Heads, Deans, and Vice Presidents) are deemed to be representatives of the institution for purposes of this policy, and are responsible for insuring that prompt and appropriate action is taken when instances of prohibited harassment are brought to their attention. (OAR 839-07-555; 580-15-010; and 577-32-040)

Individuals may contact the following resources without fear of retaliation or harassment. Confidentiality will be maintained to the maximum extent possible. (Individuals who are uncertain as to the appropriate resource to contact, should call the Office of Affirmative Action at 725-4417).

1. Informal resolution, advocacy and referral:

Informal resolution, advocacy, and referral may be sought from the following sources:

Office of Affirmative Action: (122, CH, 725-4417); For anyone concerned about sexual harassment.

Office of Student Affairs: (433 SMC, 725-4422); For students concerned about sexual harassment.

Counseling and Psychological Services: (M 343 SMC, 725-4423); For students concerned about sexual harassment.

PSU Women's Union and Resource Center: (401B SMC, 725-5672) For anyone concerned about sexual harassment.

Sexual Harassment Network: For anyone concerned about sexual harassment. This network is made up of faculty and staff from across the University who have been trained to provide informal counseling and referral related to sexual harassment. Information about the Network and its members may be obtained from Counseling and Psychological Services (listed above).

2. Formal Resolution

Formal resolution of complaints may be pursued through the following offices and may include the provision of sanctions as provided for in university policy and collective bargaining agreements:

Office of Affirmative Action: (122 CH, 725-4417); The Office of Affirmative Action will investigate and recommend corrective action as described in OAR 577-32 (PSU's Discrimination Grievance Procedures, available in the Affirmative Action Office, Rm. 122 CH)

for all complaints either initiated by or about University employees (Except as provide below for student employees).

Office of Student Affairs: (433 SMC, 725-4422); The Office of Student Affairs will investigate and take corrective action as described in OAR 577-31 (the Student Conduct Code, available in the Office of Student Affairs, Rm. 433 SMC) when the parties involved are both students or when the harasser is a student (including student employees).

Draft #2: 12/19/91

What to do if you hear of, or discover sexual harassment

The following information has been put together to assist you in managing sexual harassment complaints. Please remember that our policy requires that appropriate action be taken when allegations of sexual harassment come to our attention.

Step 1: Ask for help if necessary.

If at all concerned about what to do, call the Office of Affirmative Action (X4417). They will assist you in determining the appropriate course of action.

Step 2: Hearing the complaint

- a. Sexual harassment complaints may take many forms including direct complaints, anonymous complaints, the witnessing of harassment and rumor. It is your responsibility to follow up appropriately on any and all of these.
- b. If there is a direct complaint, ask whether the individual would prefer to discuss the matter with a person of the same sex. (Assistance in this regard may be sought from Affirmative Action or Counseling and Psychological Services.)
- c. Listen carefully to the complaint. Do not be judgmental.
- d. Try to be unbiased as you consider the complaint.
- e. Attempt to discover what happened, refrain from making excuses for the accused.

Step 3 Resolution of the Complaint

Once you have heard the complaint, it is your responsibility to help the individual(s) resolve the complaint or to direct the individual to the appropriate place for resolution. Your recommendation will depend upon the outcome sought by the individual, and the magnitude and severity of the complaint. Remember that an individual may choose to file a formal complaint at any time. Whatever resolution option is chosen, it is good practice to recommend to the complainant that they keep a written record of the incident, that they consider consulting with a counselor, and that they seek support from a friend.

Informal Resolution

Informal resolution which results in changed behavior and an improved environment is preferable to resolving sexual harassment complaints through formal means. Informal resolution will depend upon the facts of the incident, the wishes and feelings of the individual who has been harassed and the willingness of the accuser and the accused to come to a mutual resolution.

Possible remedies in informal resolution of complaints may include but not be limited to the following examples; informal mediation between parties, apologies, acknowledgement of inappropriate behavior either publicly or privately, appropriate training, and/or mutual agreement to move the student or staff member out of the relationship in so far as this would not violate personnel rules or collective bargaining agreements.

Answering the following questions may assist you in making this determination:

a. Does the individual making the complaint wish to resolve it informally? Consider whether the individual is comfortable discussing the issue with the alleged harasser and whether an informal resolution will be satisfactory from their perspective.

b. Do the facts of the incident indicate the need for a formal complaint? Consider whether this is a problem of communication or of discrimination, whether there has been a history of complaints about the same individual, whether some level of formal sanction seems to be necessary to stop the behavior.

c. Are both parties willing to sit down to discuss the problem and reach a mutual resolution? Consider whether the parties agree on the facts and whether there is a willingness to accept or admit to misunderstanding, miscommunication or misinterpretation.

If answers to these questions lead you to determine that an informal resolution is appropriate, you should attempt the resolution as soon as possible.

Begin by contacting the alleged harasser. Remember to treat them as you did the person bringing the complaint: listen carefully, try to be unbiased, and attempt to establish the facts. After hearing their side of the complaint you should be able to determine what course of action you should follow (e.g. attempting an informal resolution, recommending formal resolution, consulting with Affirmative Action.) For example, it may be possible and more appropriate for you to undertake an informal resolution by yourself. This is particularly true if the student wishes to remain anonymous, if the alleged attention is not sexual in nature and if there have been no other complaints about the individual. This direct approach will allow you to let the individual know in a non-threatening manner that there was a perception of inappropriate comments or actions, and how they may avoid such a perception in the future. These interactions need not be documented by a formal record, but some note of the occurrence of the meeting

should be made for future reference.

When attempting to resolve a sexual harassment complaint do not hesitate to use the on campus informal resources listed in the sexual harassment policy including the Counseling and Psychological Services (X4423), the Sexual Harassment Network (contact through CAPS at X4423), and the Office of Student Affairs, (X4422) if students are involved. **Again, do not hesitate to contact Affirmative Action (X4417) if you have any questions or need assistance concerning informal resolution.**

Formal Resolution

If you have determined that informal resolution is impossible, you need to refer the individual to the appropriate resource to make a formal complaint.

Formal remedies may include all of those listed as examples for informal resolution. In addition to these, other formal sanctions may be imposed upon individuals based upon Administrative rules and Collective Bargaining agreements. **These formal sanctions may not be imposed except as provided in those rules and applicable Collective Bargaining agreements.**

a. Formal complaint resolution for **students**:

If the accused is a student the complaint should be lodged in the Office of Student Affairs (433 SMC, X4422). The complaint will be investigated and resolved and appropriate sanctions will be applied according to the Student Conduct Code (PSU OAR 57-31, copies available in Student Affairs.)

b. Formal complaint resolution for **employees**:

If the accused is an employee (Unclassified or Classified) the formal complaint should be lodged with the Office of Affirmative Action. The alleged harasser will be notified, an investigation will be conducted and a recommendation for action will be forwarded to the President. The President will take action as appropriate as described in the University's grievance procedure (OAR 577-32, copies available in Affirmative Action)

University Curriculum Committee will recommend approval of the following course changes not presented at the Senate's December meeting:

1. An additional, new Philosophy course:

Phil 213 LIFE AND DEATH ISSUES (3)

Philosophical aspects of three moral problems dealing with life and death issues. Such issues may include abortion, euthanasia, the death penalty, starvation, and nuclear war. [NEW]

2. A new Psychology course Psy 491--part of a sequence the rest of which was approved by the Senate Dec. 4. (Note: Pending further discussions with the Graduate Council for 591, the prerequisites listed below may be modified at the January meeting .)

Psy 491/591 DECISION MAKING I: VALUES AND CHOICE (3)

Normative models, descriptive models, and cognitive aids for structuring decision problems, evaluating consequences of alternative courses of action, and choosing among alternatives. Prerequisite: Mth 243 and Psy 348; or permission of instructor.

Curriculum Committee recommendations for the Jan 6 meetings with additions not originally circulated.

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~~ADDITIONAL RECOMMENDATIONS:~~

1. Two program changes from SPEECH:

(1) Add statistics, that is MATH 243/244, the BA/BS Speech Communications Major requirements. Rationale: to introduce majors early in their programs to basic tools essential to an understanding of the conceptual work they will encounter in upper division coursework. (The Math Department has been consulted on this proposal.)

(2) Reduce the number of upper division hours required for the Speech Communications minor from 18 out of 27 total to 15 out of 27. Rationale: wider range of lower division coursework given recent shift of some upper division courses to the 200-level; 18 U.D. hours was found to be overly restrictive.

2. ENGLISH: wishes to withdraw changes previously approved by the Senate: (a) New course Eng 301 and (b) course changes for Eng 301. (These courses were involved in proposed changes for the English Major which were earlier withdrawn by the Department).

STATEMENT OF UNITY

Portland State University supports the right of all people to learn and live safely and without fear. We will respond forthrightly to any event on campus that promotes or results in discrimination, hatred, or violence against any person on the basis of race, religion, national origin, age, gender, ability or sexual orientation. We value diversity and reaffirm the common humanity of all people and the intrinsic value of every individual.

Proposed Amendment to the PSU Faculty Constitution

Changing ARTICLE V. Section 1.1 to provide for
Ex officio status for Chairs of Constitutional Committees.

(underlining = proposed additions)

ARTICLE V. FACULTY SENATE. / Section 1. Membership.

1) EX-OFFICIO MEMBERS.

a) The President, the Provost, all Vice Presidents; all Deans; the Director of the Library; all assistants to the President; the Secretary to the Faculty; and the Student Body President of the Associate Students of Portland State University shall serve as ex-officio members of the Senate. Ex-officio members shall have full rights of discussion and making of motions but shall not have the right to vote. The above-listed ex-officio members are not eligible to become elected members.

b) The chairs of Constitutional Committees shall serve as ex-officio members if they are not serving as elected members.

Explanation:

Constitutional Committees are regularly called on by the Senate to implement its policies. The Chairs of these committees must inform the Senate of issues and problems that during in the on-going work of their committees; they must themselves be continuously informed of Faculty Senate discussions and be expected to contribute regularly to those discussions.

At present, non-Senator chairs of Constitutional Committees can not make motions; nor can they convey information to the Senate except when another Senator asks permission on their behalf. Although they do receive Senate agenda and minutes, they are not routinely provided with full information on Senate motions. Except for annual reports, they are not expected too attend Senate meetings, according to the present Constitution.

Ex officio membership would thus facilitate a fuller and more efficient integration of the Senate's work and the work of its designated standing or Constitutional Committees.

(Note: Status for chairs of administratively-appointed committees would not be affected by this proposed change.)

The following ten Senators signed the petition originally submitted to the Faculty Secretary requesting consideration of this proposed amendment. The request itself was prepared by David Holloway (Chair, Curriculum Committee) and submitted to the Steering Committee December 9, 1991.

Steve Kosokoff
Paul Wurm
Jack Finley
Marjorie Terdal
Shelley Reece

Donald Moor
Gregory Goekjian
Marjorie Burns
Jeanette DeCarrico
Beatrice Oshika

December 4, 1991

J 3

TO: Faculty Senate

FR: Advisory Council

RE: Constitutional Amendment re UPC, Article IV.4.4. n

Current Wording:

- n) University Planning Council. The University Planning Council shall advise the Faculty Senate and the President on educational policies and planning for the University. Membership of the Council shall be composed of the chairperson of the Budget Committee, five faculty members from the College of Liberal Arts and Sciences, one faculty member from each of the professional schools, one faculty member from the Library, one faculty member from the School of Extended Studies, one faculty member representing unranked faculty, one Management Services person, one classified person, and two students (one undergraduate and one graduate). The chairperson shall be selected from the membership by the Committee on Committees. The Provost, the Budget Director, and a representative from the Office of Institutional Research and Planning shall serve as consultants at the request of the Council. The chairperson (or a designated member) shall serve on the Budget Committee.

The Council shall:

- 1) In consultation with the appropriate Faculty committees, recommend long-range plans and priorities for the achievement of the mission of the University.
- 2) Serve as the faculty advisory body to the President and to the Faculty Senate on matters of educational policy and planning for the University.
- 3) Undertake matters falling within its competence on either its own initiative or by referral from the President, faculty committees, or the Faculty Senate.
- 4) Form subcommittees as needed to carry out its work.
- 5) Report to the Faculty Senate at least once each term.
- 6) Coordinate with the President's external advisory board by having the UPC chairperson sit on the advisory board.

Proposed additions as numbers 3 and 4 (adjust other number accordingly):

3. Receive and consider proposals from appropriate administrative officers or faculty committees for the establishment, abolition, or major alteration of the structure or educational function of departments, distinct programs, interdisciplinary programs, schools, colleges, or other significant academic entities.
4. Take notice of developments leading to such changes on its own initiative, with appropriate consultation with other interested faculty committees, and with timely report or recommendation to the Faculty Senate.

Rationale:

On June 3, 1991, the Senate Amended the constitution to transfer the responsibility of the EPC to the UPC. The minutes of that meeting report the Senate's clear understanding that the duties in this proposed amendment were among those transferred to the UPC. Therefore the purpose of the amendment is to record in the constitution the Senate's understanding of the prior amendment.

UHH/b

CONSTITUTIONAL AMENDMENT

Existing:

Article IV. Organization of the Faculty.

Section 4. Faculty committees.

- g) Research and Publications Committee. This committee shall consist of fourteen faculty members, selected at large. It is desirable that all appointees be selected from among faculty members who are active and interested in research. The Committee shall:
- 1) Establish policies, in consultation with administrative officers, as to the allotment of whatever institutional sums have been granted or appropriated for Faculty research and study.
 - 2) Encourage Faculty scholarship by eliciting proposed research projects.
 - 3) Recommend to appropriate administrative officers the distribution of institutional research funds.
 - 4) Keep records of research fund distributions and endeavor to record their subsequent history.
 - 5) Advise and assist Faculty members in developing and obtaining invention and copyright protection, as well as in determining equities and interests of all parties concerned with such protection.
 - 6) Work closely with University development committees.
 - 7) Report to the Senate at least once each year.
- m) Committee on Effective Teaching. This committee shall consist of at least five faculty members representing various instructional divisions, three students, and as consultant, the Vice Provost for Academic Program Operations or his or her representative. The Committee Shall:
- 1) Facilitate the interchange among faculty members and between Faculty and students of ideas and suggested procedures designed to promote effective teaching.
 - 2) Keep the Faculty informed of salient new developments in University teaching.
 - 3) Screen all proposals for the general University-wide use of procedures and techniques for judging or evaluating teaching effectiveness, and make policy recommendations regarding such proposals to the Faculty or to its appropriate committees.
 - 4) Report to the Senate at least once each year.

NEW SECTION:

Article IV. Organization of the Faculty.

Section 4. Faculty committees.

new) Faculty Development Council. This committee shall consist of

ten faculty members from the College of Liberal Arts and Sciences, two from each of the other instructional divisions, two from the Library, two representing All Other Faculty, and as consultants, the Provost or his/her representatives. It is desirable that the appointees be selected from among faculty members who are active and interested in research, teaching, or other scholarly activity. The Committee shall:

- 1) Establish subcommittees and working groups as needed to carry out the committee functions.
- 2) Establish policies, in consultation with administrative officers, as to the allotment of whatever institutional sums have been granted or appropriated for Faculty research, multi- or interdisciplinary ventures, Faculty development and Faculty improvement or evaluating of teaching.
- 3) Encourage Faculty scholarship and teaching by eliciting proposals for projects.
- 4) Recommend to appropriate administrative officers the distribution of institutional research funds.
- 5) Keep records of research fund distributions and endeavor to record their subsequent history.
- 6) Advise and assist Faculty members in developing and obtaining invention and copyright protection, as well as in determining equities and interests of all parties concerned with such protection.
- 7) Work closely with University development committees.
- 8) Report to the Senate at least once each year.
- 9) Facilitate the interchange among faculty members and students of procedures to promote effective teaching.
- 10) Keep the Faculty informed of developments in teaching.

Rationale: A significant increase in funds available to award to faculty require additional faculty involvement. The existing committee structure has two committees responsible for recommendations and policies for two sources of funds. This new committee will combine the functions of the two committees and add additional representation to allow formation of subcommittees to handle the individual "grant" programs.

G 5

TO: Coaches and Student Athletes

FR: PSU Faculty Senate

Resolution:

The Senate wishes to congratulate the students and coaches of the PSU football, volleyball, and men's and women's soccer teams for their successful seasons.